89-04

U.S. Department of Labor
Program Highlights

Fact Sheet No. OSHA 89-04

THE OSHA CONSULTATION SERVICE

Using a free consultation service largely funded by the U.S. Occupational Safety and Health Administration (OSHA), employers can find out about potential hazards at their worksites, improve their safety management systems, and even qualify for one-year exemption from routine OSHA inspections.

The service is delivered by state governments using well-trained professional staff. Most consultations take place on-site, though limited services away from the worksite are available.

Primarily targeted for smaller businesses, this safety and health consultation program is completely separate from the OSHA inspection effort. In addition, no citations are issued or penalties proposed.

It's confidential, too. Your name, your firm's name, and any information you provide about your workplace, plus any unsafe or unhealthful working conditions that the consultant uncovers, will not be reported routinely to the OSHA inspection staff.

Your only obligation will be to commit yourself to correcting serious job safety and health hazards--a commitment which you are expected to make prior to the actual visit and carry out in a timely manner.

GETTING STARTED: Since consultation is a voluntary activity, you must request it. Your telephone call or letter sets the consulting machinery in motion. The consultant will discuss your specific needs with you and conduct research useful in preparing to assist you. OSHA encourages a complete review of your firm's safety and health situation; however, if you wish you may limit the visit to one or more specific problems.

OPENING CONFERENCE: When the consultant arrives at your worksite for the scheduled visit, he or she will first meet with you in an opening conference to briefly review the consultant's role and the obligation you incur as an employer.

WALK-THROUGH: Together, you and the consultant will examine conditions in your workplace. OSHA strongly encourages maximum employee participation in the walk-through. Better informed and more alert employees can more easily work with you to identify and correct potential injury and illness hazards in your workplace. Talking with employees during the walk-through helps the consultant identify and judge the nature and extent of specific hazards.

The consultant will study your entire plant or specific operations you designate and discuss the applicable OSHA standards. Consultants also will point out other safety or health risks which might not be cited under OSHA standards, but which nevertheless may pose safety or health risks to your employees. They may suggest other measures such as self-inspection and safety and health training to prevent future hazardous situations.

A comprehensive consultation also includes: (1) appraisal of all mechanical and environmental hazards and physical work practices; (2) appraisal of the present job safety and health program or establishment of one; (3) a conference with management on findings; (4) a written report of recommendations and agreements; and (5) training and assistance with implementing recommendations.

CLOSING CONFERENCE: The consultant will then review detailed findings with you in a closing conference. You will learn not only what you need to improve, but what you are doing right, as well. At that time you can discuss problems, possible

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solutions and abatement periods to eliminate or control any serious hazards identified during the walk-through.

In rare instances, the consultant may find an "imminent danger" situation during the walk-through. If so you must take immediate action to protect all employees. In certain other situations--those which would be judged a "serious violation" under OSHA criteria--you and the consultant are required to develop and agree to a reasonable plan and schedule to eliminate or control that hazard. The consultants will offer general approaches and options to you. They may also suggest other sources for technical help.

ABATEMENT AND FOLLOW THROUGH: Following the closing conference, the consultant will send you a written report explaining the findings and confirming any abatement periods agreed upon. Consultants may also contact you from time to time to check your progress. You, of course, may always contact them for assistance.

Ultimately, OSHA does require hazard abatement so that each consultation visit achieves its objective--effective employee protection. If you fail to eliminate or control identified serious hazards (or an imminent danger) according to the plan and within, the limits agreed upon, the situation must be referred from consultation to an OSHA enforcement office for appropriate action. This has occurred only rarely in the past.

BENEFITS: Knowledge of your workplace hazards and ways to eliminate them can only improve your own operations--and the management of your firm. You will get professional advice and assistance without hiring additional staff. The consultant can help you establish or strengthen an employee safety and health program, making safety and health activities routine considerations rather than crisis-oriented responses. Fixed worksites which undergo a comprehensive consultation, correct all identified hazards, and establish an effective safety and health program may receive a certificate exempting them from programmed inspections for one year. The exemption may be limited to smaller employers and to employees covered by federal OSHA.

THE ON-SITE CONSULTANTS WILL: --Help you recognize hazards in your workplace. --Suggest general approaches or options for solving a safety or health problem. --Identify kinds of help available if you need further assistance. --Provide you a written report summarizing findings. --Assist you to develop or maintain an effective safety and health program. --Provide training and education for you and your employees. --Recommend you for a one-year exclusion from OSHA programmed inspections, once program criteria are met.

THE ON-SITE CONSULTANTS WILL NOT: --Issue citations or propose penalties for violations of OSHA standards. --Report possible violations to OSHA enforcement staff. --Guarantee that you workplace will "pass" an OSHA inspection.

State OSHA consultation programs are listed in the state government section of the telephone directory under "Department of Labor and Industry."

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